

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was an aqueous solution of Epsom salt, sweetened, colored, and flavored.

Misbranding of the article was alleged in the libels for the reason that the labels of the bottles containing the said article bore statements of guarantee and serial number, together with the statement, " * * * a purely vegetable compound," which were false and misleading in that the said article was not a purely vegetable compound. Misbranding was alleged in substance for the further reason that the following statements appearing in the labels of the bottles and carton containing the said article, regarding the curative and therapeutic effects thereof, to wit, (bottle) " * * * Nervine The Great Nerve Tonic and Blood Purifier. * * * For Liver Complaint, Female Weakness, Nervous Affections, Rheumatism, Kidney Trouble, Dyspepsia, Indigestion * * * Biliousness and Catarrh * * * Nervous Diseases, Pains in the Heart and Shoulders, * * * Indigestion, Headache, Heartburn, Loss of Appetite, Dizziness, Numbness, Nausea, Fluttering of the Heart, Faintness, Rheumatism and Kidney Trouble. * * * Nervous Prostration and Female Complaints * * * It strengthens the nerves, Purifies the Blood, Tones up the System, makes New, Rich Blood, Clear Skin, and Ensures Perfect Health," (carton) " * * * Nervine. The Great Tonic, Nervine and Blood Purifier. * * * It Strengthens the Nerves, Purifies the Blood, Tones Up the System, Makes New, Rich Blood, Clear Skin, * * * The Great Nerve And Blood Tonic. * * * It acts upon the glandular system, increasing the functional activity of the body, it at once makes known its wonderful power of renovating and enriching the blood, and invigorates the whole system. As a remedy for diseases of the Stomach, Liver and Kidneys, Dyspepsia, Indigestion, Loss of Appetite, Sick Headache, Dizziness, Female Weakness, Nervous Prostration, Emaciation, General Debility, Rheumatism, Heart Trouble, Eruptions of the Skin, Pimples, Boils, Tumors, Scrofulous Affections, Cancerous Humors, Salt Rheum, Catarrh, Ringworm, Carbuncles, Ulcers and Sores, Syphilitic Affections, Malarial Poison, Pain in the Bones, or in fact any disease originating from an impure state or low condition of the blood and nerves, * * * While eradicating and expelling the germs of disease, it at the same time builds up and invigorates, giving new life and energy to the whole system," were false and fraudulent, since the said article contained no ingredients or combination thereof capable of producing the effects claimed.

On June 25, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9883. Misbranding of Nervosex tablets. U. S. * * * v. 10 Packages of Nervosex Tablets. Default decree ordering destruction of product. (F. & D. No. 14573. I. S. No. 8795-t. S. No. E-3150.)

On March 3, 1921, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 packages of Nervosex tablets, at Norfolk, Va., alleging that the article had been shipped by the United Laboratories, Inc., St. Louis, Mo., on or about July 1, 1920, and transported from the State of Missouri into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained zinc phosphid, calcium phosphate, an

iron compound, and vegetable extractives, including nux vomica, in tablet form.

Misbranding of the article was alleged in substance in the libel for the reason that the labels on the bottles containing the said article bore the following statements regarding the curative and therapeutic effects thereof, "Nervosex Tablets. A compound of Nerve and Muscle Stimulants for Low Vitality, Lack of Energy, Sexual Weakness * * *," which were false and fraudulent in that the said article did not contain any ingredients or combination of ingredients capable of producing the effects claimed.

On September 9, 1921, no claimant having appeared for the property, judgment was entered ordering the destruction of the product by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9884. Adulteration of tomato purée. U. S. * * * v. 40 Cases * * * of Tomato Purée. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14693. I. S. No. 7526-t. S. No. E-3208.)

On April 1, 1921, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 40 cases of tomato purée, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Morgan Packing Co., Austin, Ind., on or about November 27, 1920, and transported from the State of Indiana into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Alhambra Brand Tomato Puree carefully selected quality guaranteed * * *."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On July 8, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9885. Adulteration and misbranding of simple sirup. U. S. * * * v. Bump Confectionery Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 14732. I. S. No. 9304-r.)

On June 20, 1921, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Bump Confectionery Co., a corporation, Anna, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 18, 1920, from the State of Illinois into the State of Missouri, of a quantity of simple sirup which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a dilute sugar sirup containing benzoate of soda. It contained 57.6 per cent by weight, or 728.64 grams per 1,000 cc., of sucrose.

Adulteration of the article considered as a drug was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of investigation, in that the said Pharmacopœia required that in 1,000 mils of the said article there should be present 850 grams of sugar, whereas in 1,000 mils of the said article there was present a less amount